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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,152	03/30/2001	John Christopher Crandall	10004840-1	6310

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

SCHLAIFER, JONATHAN D

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/822,152	CRANDALL, JOHN CHRISTOPHER	
	Examiner	Art Unit	
	Jonathan D. Schlaifer	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 01 October 2004.
- 2a) This action is **FINAL**.                                   2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 March 2001 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/5/03, 10/12/04.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

1. This action is responsive to an amendment to application 09/822,152 filed on 10/1/2004, with prior art filed on 2/5/2003.
2. Claims 1-20 are pending in the case. Claims 1, 9, and 16 are independent claims.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 9-15 remains rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. These claims describe a claim that could be performed by hand by a human being, and lack a technological basis such as a computer that is required to be statutory subject matter. The Examiner notes that the statute has been interpreted to require inventions with a technological basis, rather than a mere human individual, and further notes that this rejection by amending the claims so that they describe a *computer-implemented* method or a method *performed by a computer*.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1, 9, and 16 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Lapierre (USPN 6,075,550—filing date 12/23/1997), further in view of DeStefano (USPN 6,184,885 B1—filing date 3/16/1998).**
5. **Regarding independent claim 1,** in the Abstract of Lapierre, lines 1-20, Lapierre discloses a computerized document censor comprising: a censor database of restricted terms (it would be obvious to store the list in a database because it was notoriously well known in the art at the time of the invention that lists may be efficiently and easily managed in a database); and a text comparator program for finding ones of said restricted terms in said document (this must be inherent in order to allow the censoring process to take place). However, Lapierre fails to disclose a text highlighter program for highlighting said restricted terms found in said document. However, in col. 27, lines 30-40 of DeStefano, DeStefano discloses highlighting words which conform with certain restriction conditions in order to draw attention to them. It would have been obvious to one of ordinary skill in the art at the time of the invention to have highlighted words with a special condition in Lapierre in the manner of DeStefano in order to draw attention to them.
6. **Regarding independent claim 9,** it is the method that the document censor of claim 1 performs and is rejected under similar rationale.
7. **Regarding independent claim 16,** it is a computer program encoded on a computer-readable medium that encodes the method of claim 9 and is rejected under similar rationale.

8. **Claims 2-5, 7, 10-12, and 17-19 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Lapierre, further in view of DeStefano, further in view of Cragun (USPN 5,832,212—filing date 4/19/1996).**
9. **Regarding dependent claim 2,** Lapierre and DeStefano fail to disclose a document censor further comprising: a generalization database of non-restricted terms, wherein ones of said non-restricted terms correspond to ones of said restricted terms. However, Cragun, in lines 10-20, discloses the replacement of censored words with alternative words in order to produce a more acceptable document, and it was notoriously well known in the art at the time of the invention that a database is an organized and efficient way to manage lists of words used for replacement, so it would have been obvious to one of ordinary skill in the art at the time of the invention to have used alternative words for replacement in Lapierre and DeStefano in the manner of Cragun and to have stored them in a database because this would have produced a more acceptable document and have done so in an organized and efficient manner.
10. **Regarding dependent claim 3,** Lapierre and DeStefano fail to disclose a document censor wherein said restricted terms comprise at least one of: single words; phrases; and numbers. However, in line 9 of the Abstract of Cragun, Cragun refers to “censored words”, which allows selective replacement of document elements. It would have been obvious to one of ordinary skill in the art at the time of the invention to have restricted single words in the manner of Cragun in the context of Lapierre and DeStefano in order to have allowed selective replacement of document elements.

**11. Regarding dependent claim 4**, Lapierre and DeStefano fail to disclose a document censor wherein said text comparator program finds ones of said restricted terms via rules-based relationships. However, in the Abstract of Cragun, in lines 10-20, Cragun describes how weights and thresholds, which are a type of rules, are used to carry out the censoring, in order to provide an organized, dynamic, and representative approach to the censoring. It would have been obvious to one of ordinary skill in the art at the time of the invention to have used the rules-based approach of Cragun in the inventions of Lapierre and DeStefano in order to have provided an organized, dynamic, and representative approach to the censoring.

**12. Regarding dependent claim 5**, Lapierre and DeStefano fail to disclose a document censor wherein said non-restricted terms are gathered into said generalization database by a user. However, Cragun, in col. 2, lines 15-50, discloses that the user has control over the database of replacement terms in order to be able to manually direct the replacement process. It would have been obvious to one of ordinary skill in the art at the time of the invention to have allowed the user to have control over the database of replacement terms in the manner of Cragun in the inventions of Lapierre and DeStefano in order to allow the user to have made the user able to manually direct the replacement process.

**13. Regarding dependent claim 7**, Lapierre and DeStefano fail to disclose a text editor for replacing said restricted terms found in said documents with selected ones of said non-restricted terms. However, in the Abstract, lines 10-20, Cragun discloses editing capability for the replacement terms because it would have allowed the user to manually direct the replacement process. It would have been obvious to one of ordinary skill in the

art at the time of the invention to have provided editing capability as in Cragun to Lapierre and DeStefano because it would have allowed the user to manually direct the replacement process.

14. **Regarding dependent claim 10**, it is the method that the document censor of claim 2 performs and is rejected under similar rationale.
15. **Regarding dependent claim 11**, since the device of claim 2 is known to censor words, it is inherent to the operation of claim 2 that there is a step of entering prohibited words and hence claim 11 is rejected under similar rationale.
16. **Regarding dependent claim 12**, since the device of claim 2 is known to use alternate words, it is inherent to the operation of claim 2 that there is a step of entering alternate words and hence claim 12 is rejected under similar rationale.
17. **Regarding dependent claim 17**, it is a computer program encoded on a computer-readable medium that encodes the method of claim 10 and is rejected under similar rationale.
18. **Regarding dependent claim 18**, it is a computer program encoded on a computer-readable medium that encodes the method of claim 11 and is rejected under similar rationale.
19. **Regarding dependent claim 19**, it is a computer program encoded on a computer-readable medium that encodes the method of claim 12 and is rejected under similar rationale.

20. **Claims 6, 13, and 20 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Lapierre, further in view of DeStefano, further in view of Cragun, further in view of Aras et al. (USPN 5,757,417—filing date 9/23/1997), hereinafter Aras.**
21. **Regarding dependent claim 6**, Lapierre, DeStefano, and Cragun fail to disclose that said censor provides alternative ones of said non-restricted terms to a user for selectively replacing said restricted terms founds in said document. However, in col. 12, lines 34-67 Aras discloses the presentation of multiple choices of images to replace a given this time. This invention represents analogous art because it represents a choice of information to replace given improper information. It would have been obvious to one of ordinary skill in the art at the time of the invention to have incorporated the feature of choosing alternative information units from Aras' invention into Lapierre, DeStefano and Cragun's invention in order to allow selective replacement of terms by the user.
22. **Regarding dependent claim 13**, it is the method that the document censor of claim 6 performs and is rejected under similar rationale.
23. **Regarding independent claim 20**, it is a computer program encoded on a computer-readable medium that encodes the method of claim 13 and is rejected under similar rationale.
24. **Claim 8 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Lapierre, further in view of DeStefano, further in view of Cragun, further in view of Halim et al. (USPN 6,304,881 B1—filing date 3/3/1998), hereinafter Halim.**
25. **Regarding dependent claim 8**, Lapierre, DeStefano, and Cragun fail to disclose that said censor database and said generalization database are accessible by remote users.

However, Halim discloses in col. 11, lines 20-30 that remote users may access databases in order to improve the availability of the databases. It would have been obvious to one of ordinary skill in the art at the time of the invention to have the databases in the inventions of Lapierre, DeStefano, and Cragun be accessible by remote users in the manner of Halim in order to improve the availability of the databases.

**26. Claim 14 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Lapierre, further in view of DeStefano, further in view of Dieterman (USPN 6,393,464 B1—filing date 6/10/1999).**

**27. Regarding dependent claim 14,** Lapierre and DeStefano fail to disclose that the list of prohibited expressions is restricted to at least one predetermined administrator. However, Dieterman discloses that access may be restricted to administrators to increase the security of a system. It would have been obvious to one of ordinary skill in the art at the time of the invention to have restricted access to administrators in the manner of Dieterman in the context of Lapierre and DeStefano in order to increase the security of the systems.

**28. Claim 15 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Lapierre, further in view of DeStefano, further in view of Cragun, further in view of Dieterman.**

**29. Regarding dependent claim 15,** Lapierre, DeStefano, and Cragun fail to disclose that the list of prohibited expressions is restricted to at least one predetermined administrator. However, Dieterman discloses that access may be restricted to administrators to increase the security of a system. It would have been obvious to one of ordinary skill in the art at

the time of the invention to have restricted access to administrators in the manner of Dieterman in the context of Lapierre, DeStefano, and Cragun in order to increase the security of the systems.

***Response to Arguments***

30. Applicant's arguments filed 10/1/2004 have been fully considered but they are not persuasive.
31. The Applicant's IDS filed 2/5/2003 has now been considered, as it now complies with the requirements for an IDS.
32. Claims 9-15 remain rejected under 35 U.S.C. 101 for the reasons stated in the Office Action. The Examiner notes that this rejection may be overcome in the manner stated in the Office Action.
33. Regarding Applicant's arguments regarding claims 1, 9, and 16, the Applicant finds that Lapierre does not censor material in a document, but rather in a text data signal. The Examiner submits that the text data content contained in the signal could easily be considered a document.
34. The Applicant alleges that DeStefano cannot be used to remedy the missing limitation in Lapierre of the highlighting part of the invention. The Examiner notes that it would have been obvious to do so for the reason noted in the Office Action: the censored words are words of a particular category, and the feature of DeStefano is to highlight words of a particular category with the benefit of drawing attention to them. Hence, it would have been obvious to combine DeStefano with Lapierre. Even if small details of the two inventions are not immediately compatible, obvious combinations of the general

principles contained in the inventions could have easily been combined to produce a combined invention which would have satisfied the limitations of the claims.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USPN 6,240,493 B1 (filing date 4/17/1998)—Hardwood, III et al.

USPN 5,832,212 (filing date 4/19/1996)—Cragun et al.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan D. Schlaifer whose telephone number is (571) 272-4129. The examiner can normally be reached on 8:30-5:00, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JS

STEPHEN S. HONG  
PRIMARY EXAMINER